

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/800,574 02/18/97 RIFFEE

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WM02/0305

EXAMINER

LEE, R

ART UNIT

PAPER NUMBER

2613

DATE MAILED:

03/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/800,574	Applicant(s) Riffey
	Examiner Richard Lee	Group Art Unit 2613

Responsive to communication(s) filed on Feb 1, 1999

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-30 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-28 is/are rejected.

Claim(s) 29 and 30 is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Due to the following new grounds of rejections, the Examiner wants to point out that a majority of the arguments from the amendment filed February 1, 1999 are considered moot. With respect to the pertinent arguments from the amendment filed February 1, 1999, they have been addressed within the body of the rejections below.
2. In response to paragraph (1) of the last Office Action (see Paper no. 4), the applicant had indicated in the amendment filed February 1, 1999 that copies of references with a supplemental PTO-1449 is submitted. In response to paragraph (6) of the last Office Action (see Paper no. 4), the applicant had indicated in the amendment filed February 1, 1999 that a set of proposed corrected drawings have been attached for Examiner approval. However, the Examiner can not find the proposed drawing corrections, IDS, and references in the file. It seems apparent that these items have been inadvertently detached from the file. Please resubmit the proposed drawing corrections, IDS and references for Examiner consideration/approval. The Examiner apologizes for any inconvenience that this may have caused.
3. The Abstract as provided via the amendment filed February 1, 1999 has not been entered since the abstract has not been submitted on a separate sheet as required (see paragraph (4) of the last Office Action, Paper no. 4). The applicant is further reminded that phrases which can be implied, such as "invention" should be avoided.

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, and 9-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuzma of record (5,389,965) in view of Yuyama et al (5,825,408) and Paneth et al of record (5,119,375).

Kuzma discloses a video telephone station having variable image clarity as shown in Figures 1 and 5, and substantially the same narrowband video codec as claimed in claims 1-6 and 9-18 for generating an output stream of control, data, and error correction bits comprising substantially the same means for framing the output control and data bits into a series of sequential frames of bytes wherein each frame comprises an identical sequence of bytes, each frame comprising, in sequence two control bytes, a plurality of sequential sets of data bytes, each set of data bytes comprising a sequence of at least one audio byte, and a plurality of error correction bytes (see Figure 4 and columns 5-7); the control bytes include data bit signals representative of the number of bytes in the frame (see Figure 4 and columns 5-7); means for periodically refreshing the decompressed video image (see Figure 2); and means for controlling the level of error correction without re-transmitting corrupted data (see columns 5-7).

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Kuzma does not particularly disclose, though, the followings:

(a) the frame including for each set of data bytes comprising a sequence of at least one audio byte and a plurality of video bytes, each set of data bytes having its audio and video bytes in the same order as each other set of data bytes, each set of data bytes has the same number of video bytes between sequential audio bytes as claimed in claims 1 and 2;

(b) the transmission of the series of sequential frames of bytes over an rf frequency, and wherein the frames are synchronized to the data rate of the rf link as claimed in claims 1 and 6; and

(c) each frame comprises 200 bytes, 180 data bytes and 18 error correction bytes; each frame comprises 150 video bytes and 30 audio bytes; wherein each sequential audio bytes are separated from each other by five, eleven, or two video bytes; wherein each frame comprises 165 video bytes and 15 audio bytes; wherein each frame comprises 40 bytes, 18 data bytes, and 20 error correction bytes; wherein each frame comprises 12 video bytes and 6 audio bytes; wherein each frame comprises 15 video bytes and 3 audio bytes as claimed in claims 9-18.

Regarding (a), Yuyama et al discloses a portable compact imaging and displaying apparatus as shown in Figures 18 and 19, and teaches the conventional framing of the output data bits comprising a sequence of at least one audio byte and a plurality of video bytes, each set of data bytes having its audio and video bytes in the same order as each other set of data bytes, and wherein each set of data bytes has the same number of video bytes between sequential audio bytes (see Figure 19 and column 23, lines 10-37). Therefore, it would have been obvious to one of

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ordinary skill in the art, having the Kuzma, Yuyama et al, and Paneth et al references in front of him/her and the general knowledge of framing data bits, would have had no difficulty in providing the audio and video bytes within a frame as the specific type of framing structure within the video codec of Kuzma for the same well known purposes as claimed.

Regarding (b), Paneth et al discloses a subscriber RF telephone system as shown in Figure 2, and teaches the conventional RF transmission of video data to/from stations (see column 1, lines 29-39) as well as the synchronization of frames to the data rate of the rf link (see column 10, lines 36-41). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma, Yuyama et al, and Paneth et al references in front of him/her and the general knowledge of RF transmission, would have had no difficulty in providing the RF transmission of video data as well as the synchronization of frames for transmission over the rf link as taught by Paneth et al for the video telephone system of Kuzma for the same well known transmission purposes as claimed.

Regarding (c), it is noted that even without specific disclosure by Kuzma concerning the number of bytes for each frame, data, and error correction, and the separation of sequential audio bytes, it is considered obvious that such values for the number of bytes and the separation of sequential audio bytes by a certain number of video bytes as claimed may obviously be provided by one of ordinary skill in the art. Without specific criticality of such byte values and the number of video bytes to be provided to separate the audio bytes, such limitations are being considered met or provided by one skilled in the art in the particular processing of the audio and video bytes within the packet transmission of the video telephone of Kuzma. Therefore, it would have been

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obvious to one of ordinary skill in the art, having the Kuzma, Yuyama et al, and Paneth et al references in front of him/her and the general knowledge of the allocation of audio and video bytes, would have had no difficulty in providing any desired number of video and audio bytes with any number of video bytes to separate the audio bytes in the processing of data for the video telephone system of Kuzma for the same well known purposes as claimed.

6. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuzma, Yuyama et al, and Paneth et al as applied to claims 1-6 and 9-18 in the above paragraph (5), and further in view of Schillaci et al of record (5,583,912).

The combination of Kuzma, Yuyama et al, and Paneth et al show substantially the same narrowband video codec as above, but does not particularly disclose a battery power supply with power supply voltage between 18 and 36 volts as claimed in claims 7 and 8. However, Schillaci et al discloses a wireless wireline communication selection mechanism resident in craftsman's portable test and communications device as shown in Figures 1 and 2, and teaches the conventional use of a battery power supply for the communications system (see column 2 and Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma, Yuyama et al, Paneth et al, and Schillaci et al references in front of him/her, would have had no difficulty in providing the battery power supply as taught by Schillaci et al with any desired power supply voltage including between the 18-36 volts as claimed for the video telephone system of Kuzma for the same well known purposes as claimed.

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7. Claims 19, 20, and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuzma in view of Paneth et al and Peters of record (5,577,190).

Kuzma discloses substantially the same narrowband video codec for transmitting and receiving compressed video and audio data signals as claimed in claims 19, 20, and 23-23, comprising a first digital signal processor for converting analog video signals into digital video signals and for compressing the video signals into video bytes (i.e., within 500 of Figure 2 and see column 5, lines 1-42); a second digital signal processor for decompressing received digital video bytes into digital video signals and for converting the decompressed digital video signals into analog video signals (i.e., within 500 of Figure 2 and see columns 5, lines 1-42); a third digital signal processor for converting analog audio signals into digital audio signals, for compressing the audio digital signals into audio bytes, for decompressing received audio bytes into audio digital signals, and for converting the decompressed digital audio signals into analog audio signals (i.e., 185 of Figure 2 and see columns 5, lines 1-23); means for periodically refreshing the transmitted video signals in thirty seconds (see Figure 2 of Kuzma); means for running multiple compression and decompression algorithms on all three digital signal processors (see columns 5-7 of Kuzma); means for randomizing data in order to maximize the efficiency of data transmission and means for de-randomizing data without introducing additional bit errors (see column 6, lines 9-37 of Kuzma); and means for selecting one of a plurality of video resolution and clarity modes wherein the video resolution modes include a low and high resolution mode and the video clarity modes include a low, intermediate, and high clarity mode (see column 6 of Kuzma).

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Kuzma does not particularly disclose, though, the followings

- (a) a solid state memory and means for emulating a disk access system of a computer using solid state memory components to store filed sequences with compression/decompression algorithm data as claimed in claim 19; and
- (b) transmitting and receiving compressed video and audio data signals over a rf link as claimed in claim 19.

Regarding (a), Peters discloses a media editing system with adjustable source material compression as shown in Figure 1 and 9, and teaches the conventional use of a solid state memory and means for emulating a disk access system of a computer using solid state memory components to store filed sequences with compression/decompression algorithm data (see Figures 8 and 9, and columns 14-15). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma and Peters references in front of him/her and the general knowledge of memory storage means within video encoders/decoders, would have had no difficulty in providing the solid state memory and disk access system as shown in Peters for the video telephone system of Kuzma for the same well known storage purposes as claimed.

Regarding (b), Paneth et al discloses a subscriber RF telephone system as shown in Figure 2, and teaches the conventional RF transmission/reception of video data to/from stations (see column 1, lines 29-60). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma and Paneth et al references in front of him/her and the general knowledge of RF transmission, would have had no difficulty in providing the RF transmission/reception of video

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data as well as the synchronization of frames for transmission over the rf link as taught by Paneth et al for the video telephone system of Kuzma for the same well known transmission purposes as claimed.

8. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuzma, Paneth et al, and Peters as applied to claims 19, 20, and 23-28 in the above paragraph (7), and further in view of Schillaci et al of record (5,583,912).

The combination of Kuzma, Paneth et al, and Peters disclose substantially the same narrowband video codec for transmitting and receiving compressed video and audio data signals as above, but does not particularly disclose a battery power supply with power supply voltage between 18 and 36 volts as claimed in claims 21 and 22. However, Schillaci et al discloses a wireless wireline communication selection mechanism resident in craftsman's portable test and communications device as shown in Figures 1 and 2, and teaches the conventional use of a battery power supply for the communications system (see column 2 and Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art, having the Kuzma, Paneth et al, Peters, and Schillaci et al references in front of him/her, would have had no difficulty in providing the battery power supply as taught by Schillaci et al with any desired power supply voltage including between the 18-36 volts as claimed for the video telephone system of Kuzma for the same well known purposes as claimed.

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9. Claims 29 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burke et al discloses a video phone system.

11. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

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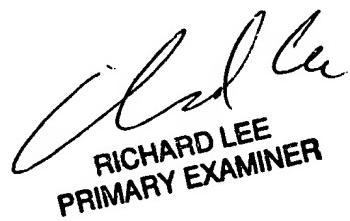
Or:

(703) 308-6306 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

12. Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Richard Lee whose telephone number is (703) 308-6612.

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703) 305-4700.



RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl

2/28/01